

JAN 03 2006

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of  
Burbank et al.

Examiner: Brian S. Szmal

Group Art Unit: 3736

For: **BREAST BIOPSY SYSTEM AND  
METHODS**

Serial No.: 09/929,371

Filed: August 13, 2001

Atty. Docket No.: R0367-00101

## CERTIFICATE OF MAILING/FACSIMILE PURSUANT TO 37 C.F.R. §1.8

I hereby certify that these papers are being sent by facsimile to (51) 273-8300, addressed to Mail Stop Amendment, Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450, Attn: Brian S. Szmal on 1/3/2006 in San Francisco, CA.By: 

## TERMINAL DISCLAIMER (BY ATTORNEY)

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, Edward J. Lynch, am an attorney representing the Assignee, SenoRx, Inc. The Assignee is the registered owner of all right, title and interest in and to the above-identified application. The assignment is recorded in Reel No. 010089, Frame 0677.

The applicants hereby disclaim any patent which is granted on the above-identified application which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,699,206.

It is hereby agreed that the above-identified application shall be enforceable only for and during such period that the legal title to any patent granted on the

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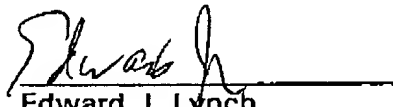
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above-identified application shall be the same as the legal title to U.S. Patent No. 6,699,206. This agreement shall run with any patent granted on the above-identified application and shall be binding upon the grantor, its successors or assigns.

No disclaimer is hereby made on any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,699,206 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321 (a), has all claims cancelled by a re-examination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Dated: Jan 3, 2006

  
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